

THE GROVE HOMEOWNERS'S ASSOCIATION

ANNUAL MEETING

JANUARY 17, 1991

President: Charlie Gorman  
Vice-President: Dave Ringheiser  
Treasurer: Louise Lang  
Secretary: Joel Werbelow  
Member at Large: Bill Bold

I. CALL TO ORDER

- A. The meeting was called to order at 7:40pm

II. PROOF OF NOTICE

- A. All owners of record as of December 10, 1990, were sent a notice of this meeting.

III. READING OF THE MINUTES OF THE FEBRUARY 1, 1990 INFORMATIVE MEETING

- A. Bob Bartlein of Bartlein & Company read the minutes of the February 1, 1990 Informative Meeting.
- B. **MOTION** by Richard Laitenen to approve the minutes as amended.

- 1.1 Amendment to read that board vacancies were filled and not elected.

**MOTION SECONDED**

**MOTION CARRIED**

IV. OFFICER'S REPORT

- A. President's report - Review of 1990 - Charlie Gorman
1. Parking areas were repaved.
  2. Wrought-iron railings were painted.
  3. The signs in the front were painted.
  4. A recycling center was established in 6 areas.
  5. The existing water system was supplemented with a drip system.

6. The spa was retiled.
7. The facility doors were replaced.
8. Street name competition.
9. Soil Compaction: The developer has made an effort to pass the financial responsibility down to his main contractor who is trying to come up with the financing for this project. The contractor has submitted an insurance claim at this time.
  - a) The work is anticipated to be completed by the summer.
10. Water usage: Landscaping contractor (Progressive Care) is supplementing the landscape watering with reclaimed water at his own expense.
11. Rain water run-off: The board hired a consultant who generated a report for the boards analysis.
12. Delinquent association fees: Bartlein is taking steps to recover this money as instructed by the board.
13. Porch and patio lights that blink on and off and/or have paint coming off: A note was put in the newsletter to homeowners recommending how they can refurbish their lights.
14. Pathways and plant damage: Progressive Care is putting up fencing and adding stepping stones to one of the pathways that lead up to a meter.
15. Cracked sidewalks: Ramstrom Construction surveyed the area and has submitted a proposal.
16. Gas lines: There have been two incidents of gas lines leaking., One of the incidences involved seven out of 11 lines in one building which resulted from poor workmanship.
  - a) There is potential for this to happen in other areas of the complex.
17. Owner Occupancy Rule: Some investors were asking that the association repeal the bylaw that was passed last year. Currently the renter ratio has increased drastically in the last two months to a 40% renter rate.
  - a) The Owner Occupancy Rule apparently has not had an impact on sells.

**B. TREASURER'S REPORT - AS READ BY BOB BARTLEIN**

1. The association had an income of \$203,884.00 expenses of \$185,255.56. The ending balance was \$167,304.33.
  - a) Actual figures for 1990 were sent to homeowners.

**V. ELECTION OF NEW BOARD**

1. **MOTION** BY Richard Laitenen to nominate Louise Lang

**MOTION SECONDED**

**MOTION** to close the nominations and elect the slate as presented.

**MOTION SECONDED**

**MOTION CARRIED**

**VI. OLD BUSINESS**

- A. Budget for 1991:

1. **MOTION** to ratify the board's budget.

**MOTION SECONDED**

**MOTION CARRIED**

- B. **MOTION** to ratify the board's actions and policies in 1990.

**MOTION SECONDED**

**MOTION CARRIED**

- C. Weight room refurbishing:

1. The board is considering this if the funds become available.

- D. Sewer lines:

1. Isla Vista Sanitary District is responsible for the maintenance of the main lines. The board contracted Speedy Rooter to clean out all the secondary lines and to give the board a cost for routine maintenance on the secondary lines.

- E. Window cleaning upper level vertical windows:

1. Interested persons can contact Dave Ringheiser.

- F. Rain gutters:

1. The rain gutters are cleaned approximately two times per year.

- G. An owner expressed concern regarding young children who are out on bikes and skateboards. The plant material is being damaged and safety is of concern for the children and the residents.

1. Bartlein & Co., has sent the unit owner with young children a letter this past week.

H. Cats:

1. Homeowners can trap cats that they find on their personal property and bring them to the Humane Society. City Ordinance states that all cats and dogs must be on a leash if they are outside the owners enclosed property.

I. **MOTION** to adjourn the meeting at 9:00pm

**MOTION SECONDED**

**MOTION CARRIED**

**THE GROVE HOMEOWNERS'S ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

**FEBRUARY 20, 1991**

**President: Charlie Gorman**  
**Vice-President: Dave Ringheiser**  
**Treasurer: Bill Bold**  
**Secretary: Joel Werbelow**  
**Member at Large: Louise Lange**

**I. DIRECTORS PRESENT**

A. Others

1. James Nguyen, Bartlein & Co.

**II. CALL TO ORDER**

- A. The meeting was called to order at 7:40pm

**III. TREASURER'S REPORT**

- A. Bill Bold will investigate ways to structure the Associations money for the best yield and present his ideas to the board at the next meeting.

B. Water refund.

1. The Association received four checks from G.W.D. totalling \$11,679.00.
2. James Nguyen will obtain further information on the specifics of the refund and G.W.D.'s billing policy.
3. A bill was received from Progressive Care (\$3,683.34) which is for the remainder of the drip system.

C. Utility door repair.

1. A bill was received for \$3,800.00 which is for work done in 1990.

D. Delinquent fees.

1. Bartlein & Co., sent out 30 day notices to pay to those members who were significantly delinquent on their association fees.

- a) The board accepts the proposal from unit #101.
- b) James Nguyen will contact the owner of unit #107 regarding proof of bankruptcy. James will speak with Bob Bartlein regarding this case.
- c) James Nguyen will contact the owner of unit #109 and ask when the balance will be paid off.
- d) The board accepts the proposal from unit #210.
- e) James Nguyen will contact the owner of unit #321. Promise of payment was made but has not been received.

#### IV. LANDSCAPING

##### A. Water usage (January).

1.

Meter	units
7602.....	10
7620.....	5
7630.....	7
7636.....	7

##### B. Drip system.

- 1. Progressive care installed further drip system after Richard told Arturo of Progressive Care not to install anymore of the drip system.

##### C. Holding tank.

- 1. James Nguyen will obtain estimates for above ground water storage tanks of different capacities.

##### D. Cuttings from established plants have been planted in various areas.

##### E. Gardeners are not picking up debris on the grounds.

#### IV. POOL

- A. Excess water from drainage could be stored and would be good for irrigation.

#### V. MAINTENANCE

##### A. Tom Buffo is interested in retaining his position.

- 1. Tom Buffo replaced 43 lights and re-anchored the lattice work.

- a) Light damage continues to be a problem.

- B. Tom Buffo gave Charlie Gorman a map of the areas that need maintenance that required outside help.
- C. Bartlein & Co., will have the pool shower un-capped.

## VI. OLD BUSINESS

- A. Soil compaction.
  - 1. Investwest is awaiting response from the insurance company. Bob Bartlein was asked to call back on 3/5/91.
- B. Sewer lines.
  - 1. Maintenance was done on the lines last month. Roots were reported in the lines of 7634 and 7636.
  - 2. Maintenance will be done on a yearly basis and reviewed each year.
- C. Outstanding Hit-List.
  - 1. James Nguyen has written several letters to homeowners and has sent copies to Dave Ringheiser.
    - a) #246, mattress - was rectified.  
#346, car that leaks oil - no response.
    - b) Second letter was sent to #246 to further clean the area.
- D. Window washing.
  - 1. Dave Ringheiser received four letters thus far from interested people.
    - a) Will notate in the newsletter again that window cleaning is available this month.
- E. Plumbing by weight room.
  - 1. Done.
- F. Refurbishing of weight room.
  - 1. The board was in agreement to go with the bid from Erik (approx. \$3,500.00) and not to exceed \$1,000.00 on carpeting. The equipment will be ordered now and Charlie, Dave and Joel will decide on the carpeting.
- G. Culvert washout and cracks.
  - 1. Tabled.

H. I.D. badges.

1. Joel Werbelow will come up with a logo for the next meeting.
2. Tabled until next month.

I. Lining the creek bed.

1. Tabled.

J. Job applicants.

1. No responses from homeowners.

**VII. NEW BUSINESS**

A. Water/gas shut-off.

1. Joel Werbelow designed an instruction chart for how to turn on and off the water and gas. This was distributed to boardmembers.
  - a). This will be posted near the facility closets and included with the newsletter.

B. Amending of the CC&R's to become current with new state law.

1. The board will read the article presented by Charlie Gorman on amending the CC&R's for new state law.

C. Flags.

1. The board has no objections at this point of homeowners displaying flags.

D. Next meeting.

1. March 21, 1991  
7:30 pm.
1. Following meeting;  
  
April, 18, 1991  
7:30pm

E. The meeting was adjourned at 10:00 pm.



**THE GROVE HOMEOWNERS'S ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

**MARCH 21, 1991**

President: Charlie Gorman  
Vice-President: Dave Ringheiser  
Treasurer: Bill Bold  
Secretary: Joel Werbelow  
Member at Large: Louise Lange

**I. DIRECTORS PRESENT**

A. Others

1. Bob Bartlein, Bartlein & Co.
2. James Nguyen, Bartlein & Co.

**II. CALL TO ORDER**

- A. The meeting was called to order at 7:40pm.

**III. MINUTES FROM 2/20/91**

- A. Minutes were not distributed from Bartlein & Co.
1. Minutes will be sent from the Bartlein office this week.

**IV. COMMITTEE REPORTS**

A. Treasurer's Report - Bill Bold

1. Bartlein & Co. sent the bills to Louise Lange instead of Bill Bold.
2. Unit #344 had a hot water heater leak. The bill from Oasis has been past on to the unit owner.
  - a) James will send a letter to the unit stating that the proposed compromise is not acceptable.

3. Water rebate.

- a) James reported that the G.W.D. had previously billed the Association at a commercial rate. Resolution 9042 states that the Association should have been billed at an urban multiple unit rate. Our refund was due to being overbilled.

4. Money investments.

- a) Bill Bold reported that he investigated short term C.D.'s at six financial institutions. Bill distributed this information to the board members.
- b) **MOTION** by Dave Ringheiser that we put \$90,000.00 into Goleta National Bank (6.75% interest) and continue on with Home Federal Bank and make deposits into Home Federal Bank.

**ALL IN FAVOR, NONE OPPOSED**

- c) Bob Bartlein is on the Board of Directors of Goleta National Bank. The board members of the Eucalyptus Grove Homeowners Association are aware of this fact.
- d) Bob Bartlein will find out what kind of an account the Association holds at La Cumbre Bank.

B. Maintenance - Tom Buffo

- 1. Tom Buffo reported that the electrical work was completed, the pagoda lights were repaired and 33 lights were changed in Phase II and III.
- 2. Charlie reported that the parking light timers seem off.
  - a) Tom will follow-up on this.
- 3. Water leaks in the meeting room and weight room.
  - a) Bartlein & Co. is aware of this and had the areas cleaned up.
- 4. **MOTION** by Dave Ringheiser to standardize all the chairperson compensation to \$100.00 effective April 1, 1991.

**ALL IN FAVOR, NONE OPPOSED.**

C. Landscaping - Richard

1. Two small tress went down and have since been removed.
2. Tree at the main gate needs to be propped up.
  - a) This has already been requested.
3. At building 7628 a tree fell and did some roof and gutter damage.
  - a) Bartlein will follow-up on this.
4. Unit #118, building 7628, was inundated with mud during the rains.
  - a) Richard will see if there is a way to divert the water coming down the bank.
5. Building 7640 - plantings were put down.
  - a) Arturo is focusing on this area to get it going again.
6. Arturo has bids on different size holding tanks and forwarded this information to James Nguyen.

D. Pool - Charlie Gorman

1. Charlie reported that the chlorinator went out.
2. Charlie reported that the spa pump was replaced.

**V. OLD BUSINESS**

A. Soil Compaction.

1. Bob Bartlein called but his calls have not been returned.
  - a) This item tabled for one month.

B. Late fee update.

1. In order listed from James Nguyen's list:
  - a)...\$317.00 payment received 3/4/91
  - b)...\$150.00 payment received 3/13/91, sent a letter asking the board to be patient because she is trying to get a loan. Her unit is up for sale.
    - i) 90 days to get her account current. Bartlein will send the unit owner a letter.

c) No further payments have been received.

i) Tabled until next month.

d) Unit owner is consistently making payments.

e) No payment sent. Received a letter that within the next 10 days he will pay off the balance of \$2,941.00.

i) Tabled until next month.

C. Weight room rehabilitation.

1. Joel Werbelow will ask resident to give another copy of his proposal.

a) Tabled until next meeting.

D. Culvert washout.

1. Ramstrom Construction submitted a proposal of \$3,424.75.

a) **MOTION** by Louise Lange to authorize Ramstrom Construction to do the work.

**MOTION SECONDED** by Dave

**(NO VOTE)**

E. I.D. badges.

1. Joel Werbelow is making examples to submit to board members.

F. Lining the creek bed.

1. Ramstrom Construction can bid on this.

G. Gas and water turn off procedures.

1. Done.

**VI. NEW BUSINESS**

A. Rain damage.

1. Several owners have been experiencing water leaks of varying degrees. Most damage has been experienced in unit #131 (carpets saturated) and in a unit (not listed) with the owner named TRICIA (water coming up from the floor).

- a) **MOTION** by Louise Lange to authorize up to \$3,000.00 to repair water leaks in the two units.

**MOTION CARRIED.**

- 2. Bartlein & Co. will follow-up with Debra Bola regarding a water puddle coming from underneath her floor.

B. Letters.

- 1. Bartlein & Co. will have the security lock taken off the pedestrian gate.
- 2. Doors warped.
  - a) Bartlein & Co. will put in the newsletter that this is an individual homeowners responsibility.
- 3. Painting.
  - a) Bartlein & Co. will put in the newsletter that we are going to have touch-up painting in the spring.
- 4. Unit with inside washer and dryer with no ventilation.
  - b) Bartlein & Co. will send a letter stating that this is the unit owners responsibility.

C. Ants.

- 1. Homeowners responsibility.

D. Next meeting.

- 1. April 18, 91  
7:30pm
- 2. Following meeting - May 23, 1991, 7:30pm.

**VII. ADJOURNMENT**

- A. The meeting was adjourned at 9:30pm.

THE GROVE HOMEOWNERS'S ASSOCIATION  
BOARD OF DIRECTORS MEETING

Page 1

APRIL 18, 1991

President: Charlie Gorman  
Vice-President: Dave Ringheiser  
Treasurer: Bill Bold  
Secretary: Joel Werbelow  
Member at Large: Louise Lange

I. DIRECTORS PRESENT

A. Others

1. James Nguyen, Bartlein & Co.
2. Bob Bartlein, Bartlein & Co.

II. CALL TO ORDER

- A. The meeting was called to order at 7:40pm

III. MINUTES OF THE MARCH 1991 MEETING

- A. The board gave their approval.

IV. COMMITTEE REPORTS

A. Treasurer's report.

1. Bartlein & Co. distributed signature cards for Goleta national Bank.
2. Bill Bold reported that all bills for this past month were routine.
3. Late fees.
  - a) Unit #101 - paid \$317.00 leaving a balance of \$3,078.00. On schedule with this units proposal.
  - b) Unit #107 - the board decided to give 90 days (until June 22nd, 1991) for the balance of \$2,293.50 to be paid. No response has been received from this unit.

c) Unit #109 - account is now current.

d) Unit #321 - the board was in agreement to have an attorney send out a letter stating that this unit had 10 days in which to pay or a law suit would be initiated. The owner of this unit had previously written a letter stating that the balance of \$3,115.50 would be paid off by 3/21/91.

B. Landscaping.

1. A homeowner complained that the landscaping in his area is, and has been, neglected for quite some time. Miscellaneous debris is dumped off in the ravine and sidewalks are not swept.

a) Richard will inform Arturo of this and make sure that action is taken.

2. Fallen trees.

a) James referred the matter of the fallen trees to Bartlein's maintenance supervisor who contracted a tree service other than Arturo's. The maintenance supervisor is now aware that Progressive Care is the primary contractor for tree care in the Groves.

C. Pool.

1. It was reported that water is blocked on the eaves of the buildings. The roof needs to be cleaned out and the dirt that was washed away needs to be repaired.

a) Bob Bartlein recommends holding off until the dry season, approximately October.

2. Charlie reported that the auto-chlorinators have failed.

D. Maintenance.

1. Tom gave Charlie a listing of posts for rebar.

2. Tom adjusted the timers.

3. There is a light out in the back of the pump room.

4. The "NO PARKING" sign by the recycling center is faded.

a) Bartlein & Co. will get a new sign.

5. The Association is missing a recycling bin.

a) Bartlein & Co. will get a new one.

## V. OLD BUSINESS

### A. Soil compaction.

1. Bob Bartlein reported that he talked to Dale who still cannot give the Association a starting date. There are now two insurance companies involved.

a) **MOTION** by Dave to send a letter stating that a "Start" date must be given to the Association by June 20, 1991 or a lawsuit will be initiated.

**MOTION SECONDED** by Joel.

**MOTION CARRIED.**

1. Bartlein & Co. will distribute copies of the proposed letter to board members approximately April 22nd. Board members should voice any objections as soon as possible by April 24th.

### B. Weight room rehabilitation.

1. **MOTION** by Joel to accept the proposal by Body Trends.

**MOTION SECONDED** by Louise.

**MOTION CARRIED.**

### 2. Carpet selection.

a) The board was in agreement on the carpet selection with a border of matching emerald green.

### C. I.D. badges.

1. Joel made samples for the boards' review. The board decided upon the "key" sample amended to read in the middle "Facilities Pass" and remove the key symbol. The board authorized Joel to make final copies using his judgement.



D. Delamination of exterior closet doors.

1. Bartlein & Co. will speak to a contractor to come out and look/bid on the exterior closet doors.

**VI. NEW BUSINESS**

A. Roofer bid.

1. James reported that H&H Roofing submitted a proposal of \$1,025.00 to seal all flashings and chimneys on all buildings.
  - a) The board authorized for the work to be done.

B. Building 7628 tree damage.

1. The gutter was not repaired because the whole piece would have to be replaced. H&H Roofing reported the damage as minimal.
  - a) Bartlein & Co. will have the gutter replaced.

C. Ramstrom Construction bid of \$2,500.00 (three garden level units).

1. **MOTION** by Dave to authorize the repair of the three garden level units.

**MOTION SECONDED** by Louise.

**MOTION CARRIED.**

D. Security problems.

1. Complaints were received from owners regarding excessive noise and harassment to other tenants from Unit #33 in building 7626.
  - a) The board was in agreement to have Bartlein & Co. will send a letter to the owner of the unit insisting that he/she evict the tenants based on their past history.
  - b) A note will be put in the newsletter that if anyone is bothered by excessive noise, illegal activities or harassment, they should call the police.
2. Lack of control over common area facilities.
  - a) Front gate will not be repaired.
  - b) It will be posted on the pool gate and the weight room that people with out proper I.D. cards are considered trespassers and are subject to arrest. The appropriate codes will be listed.

- c) A note will be put in the newsletter that Romer's can be called for problems such as unauthorized pool activity, unauthorized weight room activity etc. Romer's has the authority to make arrests with sheriff back-up.

- 1. Bartlein & Co. will obtain the costs for this service from Romer's.

E. Renter ratio control.

- 1. 64% owners and 36% tenants.

F. Owners Only Rule - recording of the Bylaws.

- 1. **MOTION** by Louise to record the bylaws.

**MOTION SECONDED** by Dave.

**MOTION CARRIED.**

- A) Papers must be signed by the President and Secretary and witnessed by a Notary Public. Bartlein & Co. will arrange for this.

G. New manager for the pool.

- 1. **MOTION** by Joel to interview the two individuals, Mary Mason and Janet Bold, who do not have conflicting interests.

**MOTION SECONDED** by Dave.

**MOTION CARRIED.**

H. Adjournment.

- 1. The meeting was adjourned at 10:05pm.

**THE GROVE HOMEOWNERS'S ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

**MAY 23, 1991**

**President: Charlie Gorman  
Vice-President: Dave Ringheiser  
Treasurer: Bill Bold  
Secretary: Joel Werbelow  
Member at Large: Louise Lange**

**I. DIRECTORS PRESENT EXCEPT FOR BILL BOLD**

**A. Others**

1. James Nguyen, Bartlein & Co.
2. Richard Laitenen, Landscape Chairman

**II. CALL TO ORDER**

- A. The meeting was called to order at 7:35pm.

**III. MINUTES OF THE APRIL 1991 MEETING**

- A. Approved.

**IV. TREASURER'S REPORT**

- A. No anomalies.
- B. Professional fees for last month included the bill from Perdy and Hribar for the preparation of the financial statements.

**V. COMMITTEE REPORTS**

**A. Landscaping, Richard Laitenen**

1. Richard reported that there is a lot of debris in amongst the landscaping.
2. Richard is going to meet with Arturo to make a specific list and schedule of work to be done.

3. Richard will review the Progressive Care contract to review various specifics i.e., man-hours per week, number of men on the job and if debris is to be picked up.
4. Richard reported that the Association is doing well on its water use.

B. Pool

1. Charlie reported that Janet Bold is the new Pool Manager and she is working out very well.

C. Maintenance, Tom Buffo

1. Tom replaced 36 lights in the Phase II and III area.
2. Richard reported that there are a number of broken pagoda lights around building 7602.
3. Joel reported a burnt out parking lot light.

**VI. OLD BUSINESS**

A. Soil Compaction

1. James read the letter aloud that was sent to the contractor.
  - a) The board was satisfied with the contents of the letter.
2. Patricia Stone, homeowner, building 7620, sent a letter to the board, Charlie read the letter aloud. The letter complained of cracks in the wall; bulging and buckling of stucco and door locks not locking.
  - a) James will contact the homeowner to let her know that her letter is being forwarded to Investwest.

B. Weight room

1. Charlie reported that the new carpet was installed.
  - a) Richard reported that the carpet has a buckle in it.
2. Dave reported that the door needs work such as touch-up painting.
3. James will arrange for Merit Cleaning to clean out the closet with the dirt in it.

4. A note will be put in the newsletter that there will be a drawing for the weight room bicycles and the free-weights. Interested homeowners should put their entry into the suggestion box and are invited to attend the next board meeting when the drawing will be held.

C. Touch-up painting (trims)

1. James will arrange for Rick Jackson to come out and give a bid.

D. Culvert and sidewalk work (Ramstrum Construction)

1. The work has been done and the board approved payment of the bill.
2. Ramstrum Construction added on a cost of \$1,109.97 for additional work.
  - a) The board gave approval for payment.
3. James will arrange for Ramstrum Construction to come back and look at the area in back of 7610 (railroad side) and look at various areas that may need work.
4. Bill for units affected by the rain storm (\$2,345.40)
  - a) The board gave approval for payment.
  - b) The board gave approval for add-on of \$305.49.
5. Bill for acid wash (\$175.00)
  - a) The board gave approval for payment.

E. Security

1. Facility passes have been issued.
  - a) Romer's has come out twice and checked the passes in the pool area. No feed-back from Romer's as of yet. James will ask for a report of their findings.
  - b) The board was in agreement to have Romers continue the pass checking for one more month (all of June) and then evaluate Romer's findings.
2. Pool and weight room signs.
  - a) The signs were put up but they are scratched.
    - 1) James will order custom signs that read:  
"NO TRESPASSING - FACILITY PASS REQUIRED"

3. A note was placed in the newsletter regarding how residents should report noise problems.
4. Delaminated doors.
  - a) James reported that the cost would be approximately \$100.00 for 10 or more doors (standard door). James will obtain a estimate for the doors that are specifically at the Groves.

## V. NEW BUSINESS

### A. Erosion control of creed bed.

1. Charlie reported that the following three steps need to be taken before any control can be done:
  - The whole area needs to be re-surveyed (\$1,500.00 - \$2,000.00)
  - An architect needs to draw plans for the covering of this area (\$1,500.00 - \$2,000.00)
  - Give the above-mentioned plans to Ramstrum Construction for a more specific bid.
2. There has been some opposition from homeowners.
3. **MOTION** by Louise to have the survey done, the plans made and find out our options. The board could at that time hold an informative meeting for the homeowners.

**MOTION SECONDED** by Dave.

**MOTION CARRIED.**

4. Put in the newsletter that there will be an informative meeting where the concerns of the residents can be aired. This meeting will take place after a survey and plans have been completed in the next couple of months.

### B. Bar codes.

1. Bartlein & Co. distributed via the mail bar codes for homeowners to adhere to their checks. This was brought about to facilitate the processing of each homeowners account.

C. Bike rack rules.

1. Tabled.

D. Recording of Owners Only Rule.

1. Charlie and Joel will arrange a date to meet and have their signatures witnessed.

E. Charlie reported that he will tag five unregistered cars. These cars will be towed in one week from the date of tagging if no action has been taken by the car owners.

F. James reported that unit #321 has paid all delinquent fees.

G. Next meeting.

1. June 27, 1991 - 7:30pm.

Following meeting:

1. July 30, 1991 - 7:30pm.

H. Meeting adjourned at 9:30pm.

THE GROVE HOMEOWNERS'S ASSOCIATION  
BOARD OF DIRECTORS MEETING  
JUNE 27, 1991

President: Charlie Gorman  
Vice-President: Dave Ringheiser  
Treasurer: Bill Bold  
Secretary: Joel Werbelow  
Member at Large: Louise Lange

I. DIRECTORS PRESENT EXCEPT FOR CHARLIE GORMAN

A. Others

1. James Nguyen, Bartlein & Co.
2. Richard Laitenen, Landscape Chairman
3. Tom Buffo, Maintenance Chairman

II. CALL TO ORDER

- A. The meeting was called to order at 7:40pm

III. MINUTES OF THE MAY 1991 MEETING

- A. Approved.

IV. COMMITTEE REPORTS

A. Treasurer's Report

1. No anomalies.

B. Pool

1. Bill reported that everything was basically OK.
2. An inspection was done on the pool and the Association has been given until March 1, 1992 to resurface the pool interior.
  - a) Delayed until winter; we will then obtain bids.



3. The jacuzzi has been collecting sand on the bottom. The filter is a sand filter and this is apparently some type of system failure. Oasis will check the filter system for approximately \$300.00.

- a) **MOTION** by Louise to have the pool maintenance people check the filter.

**MOTION SECONDED** by Joel.

**MOTION CARRIED.**

C. Landscaping

1. Richard distributed his report on landscaping.
2. The Association received \$4,546.00 in the form of credits as a rebate for overcharged water meters.
3. Dave reported that Progressive Care has not tended to the back area as per the schedule.
  - a) Richard will speak with Arturo.
4. Progressive Care did agree to pick-up litter.
5. Replacement of landscaping and pathways.
  - a) Richard and Dave have surveyed the resident-made pathways. Bids will be obtained for making "real" pathways.
  - b) Richard will make a list of costs for the new planting for the next meeting.

D. Maintenance

1. Tom reported that two lamps are burnt out.
2. Tom will get to the lattice work.

## V. OLD BUSINESS

### A. Soil compaction

1. The Association received two letters from the attorney of the insurance company of the contractor of Investwest. They have stated that they are going to hire an expert themselves to look into the matter. They have asked the Association for more time to get this done until July 22nd, 1991.
2. No response from Investwest.
  - a) James reported that the cost to initiate the lawsuit using "Oxden" as the legal attorney would be approximately \$1,000.00. To use another attorney would be approximately \$5,000.00 to initiate the lawsuit.

- 1) **MOTION** by Louise to hire an attorney to initiate legal proceedings against Investwest to correct the soil compaction problems.

**MOTION SECONDED** by Joel.

**ALL IN FAVOR, ONE OPPOSED.**

- 2) The board members agreed to investigate attorneys and meet on July 2nd, 1991 at 6:00pm to pick the legal representative.

### B. Paula Bouckaert, building 7640, unit #370, is seeking board approval for a conversion to her attic.

1. Board approval is not necessary for an internal conversion, but a letter stating that the conversion is all right with the Association will be issued.
  - a) **MOTION** by Louise to draft a letter that we have been informed of the attic conversion and it meets with the boards approval subject to necessary permits.

**MOTION SECONDED** by Joel.

**MOTION CARRIED.**

C. Weight room drawing.

1. Bicycles.....Angela Trendwith, unit #231  
Joe Frangello, unit #134

Free weight set.....Leslie Fuller, unit #132

2. The new equipment is to be installed Friday, July 5th, 1991 if possible to arrange.

D. Ramstrum Construction.

1. Larry Ramstrum submitted a list of additional sidewalk areas that need to be worked on.

a) Not on the list is an area at building 7610 #218.

- b) **MOTION** by Louise for Ramstrum Construction to repair the sidewalks for the estimate of \$884.00. James will have Larry Ramstrum add in the section at building 7610, #218, which was not included in the estimate.

**MOTION SECONDED** by Joel.

**MOTION CARRIED.**

E. Romer Security Service report on the pool checks.

1. No infractions were notated.
2. The board was in agreement to have Romer Security Service continue to check for facility passes and carry on with the weekend pass checking.

F. Delaminated doors (estimate)

1. James reported that Capital Hardware offered the following prices for metal doors:

left door with vents           \$437.00

door with no vents           \$209.00

- a) Bartlein & Co., will send letters out to owners that have delaminated doors and state the cost of metal doors. A good quality wooden door will be recommended along with the necessary preparation and follow-up to keep the wooden door in good shape. This item is a homeowner responsibility.

## VI. NEW BUSINESS

### A. Bid for painting.

1. A bid was submitted from Ric Jackson for \$4,525.00.

- a) Tabled until more bids are obtained and the board checks to see which areas exactly need painting.

### B. Surfboards/bicycles on patios.

1. If unit numbers are supplied, Bartlein & Co., will send letters to the units.

- a) A letter will be sent to building 7628, unit #233, stating that bicycles must be upright or in the bike racks.

### C. Letter from unit #126.

1. Resident is seeking approval to purchase a tree to replace the one which was previously there.

- a) Board was in agreement to purchase a tree/plant to replace the previous one.

### D. James will see if Merit Cleaning can clean the board room.

### E. Next two meetings.

1. July 30, 1991 at 7:30pm
2. August 22, 1991 at 7:30pm

### F. The meeting was adjourned at 9:35pm.

**THE GROVE HOMEOWNERS'S ASSOCIATION**

**BOARD OF DIRECTORS MEETING**

**JULY 30, 1991**

**President: Charlie Gorman**  
**Vice-President: Dave Ringheiser**  
**Treasurer: Bill Bold**  
**Secretary: Joel Werbelow**  
**Member at Large: Louise Lange**

**I. DIRECTORS PRESENT**

A. Others

1. James Nguyen, Bartlein & Co.
2. Tom with Ramstrum Construction

**II. CALL TO ORDER**

- A. The meeting was called to order at 7:40pm

**III. MINUTES OF THE MAY 1991 MEETING**

- A. Minutes had not been distributed by Bartlein & Co. James made xerox copies at the meeting and distributed to the board members.

**IV. COMMITTEE REPORTS**

A. Treasurer's Report

1. No anomalies.

B. Pool

1. Bill reported that he spoke with Chris at Oasis Pools about investigating the possible filter problems. Bill and Chris agree that they would watch the filter to see if a problem continued.

2. Charlie reported that young boys have been seen playing on "Boogie Boards" in the pool.
  - a) A note will be placed in the newsletter that no floating devices, except for child safety devices, are allowed in the pool.

D. Maintenance

1. Dave reported that Arturo has still not submitted a bid for making the pathways.
  - a) James will follow-up.
2. A homeowner reported that all the lights in front of building 7624 have gone out.
  - a) James will follow-up.
3. Dave reported that a large fluorescent light at the entrance has been broken.
  - a) James will have an electrician come out.

E. Landscaping

1. Dave reported that Progressive Care is still not tending to the back area as previously instructed.
  - a) James will ask Arturo to attend the next board meeting.

**V. OLD BUSINESS**

A. Soil compaction

1. James reported that a letter was sent out by Charles Oxten (attorney selected to represent The Groves).
  - a) Investwest response was that they are doing all that they can and they would like more time. They want to take care of this outside of the court room. Investwest is willing to sign a waiver of the statute of limitations.
    - 1) The board will have a letter sent via the attorney which includes the following;
      - Appreciate your response but lacking detail on specifics.
      - Waiver of statute of limitations.

- Joining the team to extract funds from insurance companies rather than be adversaries of that team.
- Who are these insurance companies and what is the relationship to contractors?
- What is the current status of settling each claim in amounts sufficient to pay costs of repair and what is the target date.
- What can we do to expedite?
- Earliest response.

B. Weight room.

1. Facility signs
  - a) Underway
2. 20 lb. weight was stolen.
  - a) James will have it replaced.
3. Locks changed periodically in weight room and pool?
  - a) The board was in agreement. James will arrange for the combination to be changed and the new number will be posted in the newsletter.

**VI. NEW BUSINESS**

A. Status of painting touch-up project.

1. Dave reported that a painter inspected the areas. some of the areas can just be washed and latex paint applied. Work will begin in August.

B. Pool inspection.

1. Bill will follow-up.

C. Renter ratio.

1. 34% renters

D. Next meeting.

1. August 22, 1991 at 7:30pm

2. Following meeting is September 26, 1991 at 7:30pm.

E. The meeting was adjourned at 10:05pm.



GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
August 22, 1991

**I. DIRECTORS PRESENT**

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; Rich Laitnen, Landscaping and Louise Lange, Member At Large.

**II. CALL MEETING TO ORDER**

- A. The meeting was called to order at 7:30 PM.

**III. MINUTES OF PRIOR MEETING**

- A. Minutes of prior meeting were approved.

**IV. COMMITTEE REPORTS**

A. Landscaping

1. Richard reported that Progressive Care Landscaping provided a proposal for pathways. Stepping stones would be used to lead into the utility areas. Total bid: \$1,737.
2. Two trees have fallen down due to the last rain (located by the weight room).
3. Ranstrum provided a proposal for stairs/steps that go from the lower to the upper level parking lot. There would be two sets of stairs--one on each side.
4. Rich suggested they start going on some of these jobs, and Dave wanted more time to think about the plans more before approving.
5. People walk through by Joel's place -- needs to be blocked off (first priority). Cutting between Buildings 7626 and 7632 needs to be blocked with a post rail fence (second priority).

**MOTION** by Louise to start plan, and have Charlie and Dave do a walk-around of the areas to be worked on.

**SECOND** by Bill.

**MOTION PASSED.**

6. Arturo Gonzales (Progressive Care) has been cutting back the ivy on the buildings.
7. Salt was put down to end the snail infestation -- killed most of the snails, and the chemicals will be repeated until the snails are eradicated.
8. Combagos and asparagus ferns will be put in the desert area (no charge to the Association). Waiting for water allotment now that water is available for Phase 2.
9. Dave reported that the sweeping problem continues, and the "back" areas are still neglected/dirty.
10. Arturo assured the Board that the sweeping is now three times a week, and it will be changed to the method of starting in the back and working up to the front of the complex. Another man has been added to the staff to improve this and other areas. Arturo will do more overseeing/following up on the quality of the work of his crew.
11. Bare area by #7638 needs new planting -- money has been allotted in budget.
12. Arturo has been opening up the soil and treating it with liquid gypsum. Eucalyptus has an oil that blocks the soil. Jim Evans, Soil Consultant, recommends Kasex (liquid gypsum)-- as it has been very successful for the farmers in the San Joaquin Valley. The soil should be revitalized quarterly with Kasex.
13. Richard recommended Arturo highly and suggested he attend more meetings to keep good communications with the Board. Arturo agreed and thinks it would be very beneficial to attend more meetings and get feedback from the Board, and also to offer his professional input.
14. At this time, Charlie presented Richard with a gift certificate to the Palace Cafe, and another one for the Chart House; as Richard is moving to San Francisco.

B. Treasurer's Report

1. Three refunds for the end-of-water-year rebates were issued to the Association totalling \$4,129.
2. Total Income - \$21,116.00                      Total Expenditures - \$11,749.19  
Cash Flow - \$9,366.81
3. James will give Arturo the go-ahead on the proposal.
4. The CD account at La Cumbre Savings will be rolled over for 90 days. Will remain at La Cumbre Savings.

C. Maintenance

1. Tom reported that Phase 2 light bulb replacements need to be finished. Noted that stair lights go out fast. Pagoda light in the front is down again. Some kind of structure needs to be used on it.
2. The flood light at the front entrance/exit is shattered again. One pool light is out. (South end.)
3. The terrace was put back together, and the trellace needs repair. Tom requested Bartlein to assist in the repairs.
4. Regarding touch up painting, it starts Monday -- 3 buildings per week is the goal. Tom will do the quality control overseeing, James will tell Tom what the order of the paint jobs is, so QC can be continual.

D. Pool Report

1. The caution sign is now installed by the spa. The County inspection required that the skimmer be cleaned and the PH level corrected to standard.
2. When the County comes back for reinspection, Janet Bold will meet with the inspector to see how they measure the chemical levels.

V. OLD BUSINESS

- A. 1988 records are needed to verify liability of repair of cracking cement problems. Bob Bartlein will know the results on August 26.
- B. Regarding creekbed erosion: Bid of Granite Construction - \$67,000  
Bid of Ranstrum Construction - \$55,000

VI. NEW BUSINESS

1. Louise met with two County Flood Control people regarding the creekbed erosion. They said the current plan on the blueprints would be an overkill procedure. They suggested the following less expensive ways:
  - a) Truck in large rocks (300 to 400 pounds each) to place in creekbed. They would not shift and this would be under \$5,000.
  - b) Smaller rocks could be used in the creekbed grouted with a small amount of cement -- less manpower and less maintenance.
  - c) Rocks could be placed with mesh around them.

- d) The Flood Control people could provide information on how to protect the sewer lines. There would be approximately \$1,000 worth of landscaping damage.
  - e) Louise will contact McFarland (County Flood Control) to ask him how to modify the current plan. Louise will also get bids from different contractors to present to the Board.
2. Renter Ratio -- Same -- Units are selling.
  3. A request from a resident to have a flag pole on the premises was not approved by the Board. Maintaining flags takes time and work.
  4. A new resident list will be supplied to the Board by Bartlein.

Meeting was adjourned at 10:15 PM.

**NEXT TWO MEETINGS ARE SEPTEMBER 26 AND OCTOBER 24, 1991.**

GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
September 26, 1991

**I. DIRECTORS PRESENT**

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; Louise Large, Member at Large; and Joel Werbelow, Secretary..
- B. Others in attendance:
  - 1. James Nguyen from Bartlein and Company.

**II. CALL MEETING TO ORDER**

- A. The meeting was called to order at 7:40 PM.

**III. MINUTES OF PRIOR MEETING**

- A. Minutes of prior meeting were approved.

**IV. COMMITTEE REPORTS**

A. Treasurer's Report

- 1. Total Income - \$21,551.00
- Total Expenditures - \$15,816.35
- Current Balance - \$15,000.00

B. Painting/Maintenance

- 1. The painting contract needs to be reviewed, as there are a lot of bare spots that need touching up, and to date only the wooden hand rails have been painted.
- 2. The painters have not been paid yet, and Tom will show James what still needs to be done. James will then relay that to the painters. The areas painted in white are only areas to be done.
- 3. Tom took care of all of the light bulbs that needed replacing.
- 4. The timers have been adjusted.

C. Landscaping

- 1. There are two candidates to be considered in replacing Richard Laitnen as Landscaping manager: Mary Owens and Merrill Robinson.

**MOTION** by Bill to meet with the two candidates as soon as possible (9-30-91 at 7:30 PM).

**SECONDED** by Louise.

**MOTION CARRIED.**

## V. OLD BUSINESS

### A. Soil Compaction

1. Per letter from Mullin and Henzell (representing Invest West) there is no statute of limitations on the liability to repair problems.
2. The decision to file a law suit against Invest West will be deferred to the General Meeting.
3. A unit in building 7640 has a kitchen floor that is slipping. Louise went under the building to view the area below the slippage.
  - a) In 1988 excavation was done by Coates and Wallace and John Altman was the foreman.
  - b) The soil was pulled all to one side and the water proofing went up 1/3 of the wall. John Altman and Louise will meet on October 3, at 1:00 PM at building 7640 to view and for John to advise.

### B. Creekbed Erosion

1. Louise brought a detailed plan in. James will get two bids on the plan -- one from Granite Construction and one from Ramstrum Construction.

## VI. NEW BUSINESS

### A. Complaint of Noisy Tenant

1. Unit #226 had a letter sent to the owner by Bartlein for noise disturbance violations.
2. Another letter will be sent warning of 30 days to comply with common courtesy or eviction procedures will begin.

### B. Tenant has washer and dryer stored below their unit (#219). They have been asked to remove them before, but if they are not removed by Friday, September 27, 1991, they will be removed by the maintenance crew.

### C. Unit #212 -- Large sofa stored outside.

1. Will be removed when the crew removes the washer and dryer.

### D. Bike rack clearing

1. A notice will be in Newsletter to remove all bikes from rack to be cleaned -- to get rid of all abandoned bikes.

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- E. Two abandoned cars in car lot that are registered.
  - 1. Stickers will be put on cars giving 30 days to respond or towing procedures will take place.
- F. Unit #233 wants to use back (bedroom) sliding door as entry and exit. They want to put stepping stones outside the door.
  - a) Charlie has asked them not to use the common area as a path. The foliage gets trampled.
  - b) Permission will be denied (by Board consensus) to put steps outside the bedroom door to be used for general foot traffic purposes.
- F. Romer Security
  - 1. The current security services by Romer will be continued.

THE NEXT TWO MEETINGS WILL BE ON OCTOBER 24, 1991 and NOVEMBER 21, 1991  
at 7:30 PM.

The meeting was adjourned at 10:15 PM.

GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
October 24, 1991

**I. DIRECTORS PRESENT**

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; Merrill Robinson, Landscaping; and Joel Werbelow, Secretary.
- B. Others in attendance:
  - 1. James Nguyen from Bartlein and Company.
  - 2. Arturo from Progressive Care Landscaping.
  - 3. Thomas F. Fisher, (owner of 7624 Hollister #226), Skip Lillevick, Mr. Balontek, Mr. and Mrs. Wilson (homeowners) and Gwen (tenant lives below #226 at 7624 Hollister).

**II. CALL MEETING TO ORDER**

- A. The meeting was called to order at 7:30 PM.

**III. MINUTES OF PRIOR MEETING**

- A. Minutes of prior meeting were approved.

**IV. COMMITTEE REPORTS**

A. Treasurer's Report

- 1. Total Income - \$21,504.00  
Total Expenditures - \$11,789.44  
Current Balance - \$15,000.00

- 2. Dave asked the Board if the front entry telephone service should be continued at \$300 a year. The Board agreed by consensus to keep the telephone operating at the front gate. James will see to it that the system is in good repair.

**MOTION** by Dave to approve the 1992 Budget with the following changes:

- a) Raise the painting budget to \$6,000
- b) To replaster pool in 1992 (in lieu of 2002)-Approx. \$7,000
- c) Lower the allotment for the creek bed to \$32,000
- d) To keep the Association Fees at the same amount

**SECONDED** by Bill.

**MOTION PASSED.**



B. Landscaping

1. Merrill inquired as to who receives the monthly water bills. James replied that Bill Bold receives the bills, and that James also sends a copy of the water bill to the current landscaping manager.
2. Arturo reported the following:
  - a) Six more trees are ready to be planted.
  - b) Drip system is operational.
  - c) Dust bowl area is looking better.
  - d) Stepping stones, railings and gravel walkways are done.
  - e) He will meet every two weeks with Merrill to discuss landscaping matters.
  - f) The broken drip hose by Building 7610 (#218) will be repaired ASAP to stop water waste.
  - g) Agapanthas are being planted in bad areas.
  - h) Arturo can do a walk-through and see what trees need trimming -- his crew cannot go higher than 15 feet to do tree work -- tree professionals have to be called in at that time.

C. Painting/Maintenance

1. 42 lights were replaced.
2. Tom checked with painters and checked the railings.
3. The gutters need to be cleaned in November.
4. Merit Cleaning needs to clean the electrical meter areas.
5. The carport roofs need to be cleaned in June after the rains.

D. Pool

1. The water in the Jacuzzi was changed.
2. Bill reported that the lights over the dumpsters (by 7638) need replacing.

V. OLD BUSINESS

A. Creek bed erosion downscaled bid

1. James presented a bid from Granite Costruction for \$32,000.
2. Dave suggested that this discussion be deferred until more is known on soil compaction.

B. 7640 Beam Problem - Engineer Cost Estimate

1. James will send a letter to Invest West with photos of the cut beam (supplied by Bill).
2. Invest West will be billed for the repair of the cut beam, as a separate claim from other pending issues.

C. Soil Compaction Developments-Two letters received.

1. The contractor's attorney sent a letter stating that if the Groves will sign a waiver absolving them of any further liability, they are willing to pay a one-time lump sum to the Groves.
2. A second letter was received from the developer which stated they want to settle.

**VI. NEW BUSINESS**

A. Noisy tenant complaint #226

1. Thomas Fisher, owner of #226, attended the meeting to respond to the complaints of tenants living near the unit. The two main complaints are: a) Noise and smell of parrot b) Disturbing noise of loud television from midnight on through to the AM.

Due to the repeated requests to stop the disturbances not being responded to in the past, Bartlein asked Mr. Fisher to evict the resident, Mr. Bautman. Mr. Fisher said that he is no longer managing the unit and referred the Board to Larry Streuben Realty as the new manager.

**MOTION** to evict Mr. Bautman from #226, but allowing the other non-disruptive tenants to remain, made by Dave.

**SECONDED** by Joe.

**MOTION PASSED.**

B. Clogged Sewer Lines

1. Goleta Water said that the sewage pipes are invaded by roots and are totally clogged and collapsed. This was surveyed by building 7632 and 7636, and Speedi Rooter can replace pipes for \$2800 with a five-year guarantee.

The Board agreed by consensus to hire Speed Rooter to do the job.

- C. Paint over unneeded handicapped parking spot in phase 1 by 7630
  - 1. The person who needed that marked space has moved, so it will be painted over and made into a regular spot.
- D. Volunteers for porch/patio control
  - 1. Building 7620, unit #319 - has an eight foot coke bottle stored on its porch. Building 7632, unit #346 also has extraneous storage which needs to be removed from eyesight.
  - 2. Dave volunteered to monitor the porch/patio problems for the Board.
  - 3. Unit #217 and #216 have the following items that need removal:  
Blue cabinet, surfboard, hanging bikes, storage boxes and garbage.
  - 4. Letters will be sent by Bartlein to tenants of these units, and Dave will monitor the progress. Dave will receive a copy of all letters sent out.
- E. Bid for installing 2 sets of steps on island in parking lot in phase 3
  - 1. Original bid stated \$1400 for one set.
  - 2. Ramstrum made a bid of \$1798 for two sets. The Board decided by consensus to go with the two sets for \$1798.
- F. 1992 insurance coverage
  - 1. A bid from Allstate was received for \$26,191.
  - 2. The current rate of coverage with Prudential is \$25,457.

**MOTION** made by Dave for the Association to remain with Prudential.

**SECONDED** by Joel.

**MOTION PASSED.**
- G. Bike rack cleaning
  - 1. Joel will make large signs to display for all homeowners/tenants to remove all bikes they currently have housed in the bike racks. These are to be removed no later than November 12, so the rack area can be cleaned. All bikes not removed will be hauled away.

H. Purdy and Hribar CPAs--should service be continued

**MOTION** made by Bill to retain Purdy and Hribar at the cost of \$825 for tax preparation services in 1992.

**SECONDED** by Dave.

**MOTION PASSED.**

I. Baton class held weekly in driveway

1. Many complaints have been received by the Association.
2. Liability for the children in the class concerns the Board.
3. The Board decided by consensus to contact the teacher and request that she discontinue these classes held in the driveway.

J. Flea infestation in #351

1. James will have this area sprayed.

K. Water heater damage - Units 203, 204 and 303

1. Unit #303 water relief valve had too much pressure (PSI) causing the pipes to burst -- water was discharged into the crawlspace area and into units #203 and #204, causing extensive water damage.
2. Bartlein repaired the problem, and the Association insurance is covering that cost, but the question of who pays the \$1000 deductible was asked by Mr. and Mrs. Wilson (unit #204).

Bartlein told homeowners that they could possibly divide the \$1000 among the three of them. They feel that the Association insurance should also pick up that amount.

Charlie suggested that a consultant be called in to check the following:

- a) Examine the whole complex plumbing
- b) Determine what needs to be done by homeowners and specifically what needs to be done by the Association
- c) Will Notify tenants of how to handle these plumbing issues as they may arise

After viewing the results of such a survey, then the question of the deductible responsibility can be resolved.

NEXT MEETING IS ON THURSDAY, NOVEMBER 21, 1991 AT 7:00 PM.

ANNUAL MEETING IS ON THURSDAY, JANUARY 16, 1992, AT 7:30 PM -- AT THE GOLETA COMMUNITY CENTER.

**VII. MEETING ADJOURNED**

1. 11:00 PM.

GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
November 21, 1991

**I. DIRECTORS PRESENT**

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; Merrill Robinson, Landscaping; and Joel Werbelow, Secretary.
- B. Others in attendance:
  - 1. James Nguyen from Bartlein and Company.
  - 2. Roger Knox, homeowner. Greg Honnold, homeowner.
  - 3. Chris, Speedi Rooter Representative.

**II. CALL MEETING TO ORDER**

- A. The meeting was called to order at 7:30 PM.

**III. MINUTES OF PRIOR MEETING**

- A. Minutes of prior meeting were approved.
  - 1. One correction was made on the prior minutes:
    - a) Under Old Business, it stated that Invest West should be billed separately, but it should state the ISSUE is separate, but the Association still expects it to be fixed.

**IV. NON AGENDA ITEMS**

- A. Roger Knox requested a repeal of the homeowners occupancy restriction that could be voted on at the January 16 Annual Meeting.

If this could be repealed, there would be a stipulation that if resales improve (over next 1 to 2 years), the restriction could be restored. Roger asked the Board if this could also be put into the Newsletter. Roger passed out some statistics of the competitive marketability in Goleta.
- B. Greg Honnold from Farmers Insurance
  - 1. Charlie stated that Bob Bartlein selects the homeowners insurance, and they are currently pleased with their policy with Prudential.
  - 2. Mr. Honnold said he would do some research on replacement value for commercial insurance and get back to the Board in case he finds a less expensive way to insure the Groves.

C. Chris from Speedi Rooter

1. The clogged sewer lines have different liabilities and causes of problems.
  - a. The manhole by 7624 (southwest side) has a line that goes all the way through the Groves to Hollister. GWD maintains that line.
  - b. The manholes by 7632 are the Groves' private large lines. These currently are not on maintenance. All the other lines are also the Groves' responsibility. In the future, if there are problems with these, the Association is responsible for their repair.
  - c. The area where sewers drop debris into the bottom of the manholes is the responsibility of GWD. The roots by 7602 blocking the drop line will be fixed and maintained by GWD.

The lines were not collapsed and do not need replacing. These will be maintained yearly by Speedi Rooter. There were root clogs by 7632 and 7636.

VI. COMMITTEE REPORTS

A. Treasurer's Report

1. Total Income - \$20,141.50  
Total Expenditures - \$14,465.66  
Current Balance - \$15,000.00
2. Budget timeline was met successfully.
3. Unit 101 is in arrears of \$2,200, down from \$4,000.

**MOTION** by Dave to allow the tenant 6 months to pay her delinquent payments, as long as the current payments are being made monthly.

**SECONDED** by Joel, with the stipulation of requesting verification letter of job layoff.

**MOTION PASSED.**

B. Landscaping

1. Merril wants to change water allocations (take some from Phase 2 to give to another area, etc.)
2. Wants to know from Arturo how much water will be needed to water the newly planted dust bowl. She will coordinate with Arturo before giving GWD approval to change allocations. When it is decided, they will introduce the plan to the Board.
3. Dave requested that the leak in the drip hose be repaired by 7602.

C. Painting/Maintenance

1. The one broken pagoda light has been repaired.
2. Joel said that the light by 7634 needs to be fixed.

D. Pool

1. The replastering of the pool will cost \$3,400 (excludes replacing tiles) and \$900 more to replace the cracked skimmer. Valley Pool will do the work, if the Board authorizes James to procede.

**MOTION** made by Louise to go ahead with the pool repair.

**SECOND** by Bill.

**MOTION PASSED.** (Subject to the County's approval.)

**VII.OLD BUSINESS**

A. Letter sent to Invest West regarding broken beam

1. No response yet to letter sent by Bartlein--James will follow up.

B. The Water Heater Leak

1. Bob Bartlein stated that the way it is done is to split the deductible of \$1,000 into 3 ways.
2. The Association will hire someone to mark the meters clearly, so people can identify them quickly when trying to turn the water off in emergencies.
3. If response isn't received from Invest West ASAP, regarding paying for the drain repair, the Association will pay for it and then bill Invest West. Oasis did verify that the plumbing was not done to code -- improperly plumbed.

C. Soil Compaction Letter

1. James has heard nothing in response from Invest West.

**MOTION** made by Joel to have Board members meet with Charles Oxton.  
(To be divided into two sessions-- 1) Board directs questions  
2) Anyone can ask questions  
To be held in early December at 4:00 or 5:00 PM.

**SECOND** by Louise.

**MOTION PASSED.**

**MOTION** made by Bill to have Charles Oxton at the Annual Meeting to talk with homeowners.

**SECOND** by Joel.

**MOTION PASSED.**

**IIX.NEW BUSINESS**

A. Encouraging larger attendance at Annual Meeting

**MOTION** made by Joel to allocate \$75.00 gift certificate for dinner for two at the Chart House -- to be given as a door prize at the Annual Meeting.

**SECOND** by Louise.

**MOTION PASSED.**

B. Rule AB 871 -- New State Law

1. SECTION 1. Points (5) c and d can be found on page 2 of the bill. (Please see attached document.)
2. The Association must pay an independent party from outside to come in and survey/study the reserve funds. This is to be done every three years.
3. This study will be due for the Groves in Spring 1992 -- Bob is currently locating a list of independent parties to be considered.
4. The IRS has a new rule that states that any amount of Association fees that are collected that are over the Expense amount for the year are taxable. You can roll over the difference to the next year. This will be brought up at the Annual Meeting--Purdy and Hribar has always done this in the past.



C. Letters from Homeowners

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2. Letter from 7624 requesting spraying for ant problems. James will send someone out.
3. Letter from Trish regarding three kids drinking beer in pool and Jacuzzi area with loud music. She called the Sheriff, and the Security Guards will be asked to do more random time checks, so trespassers can't take advantage of unguarded times.

D. Vote of Board on Rescinding the Homeowner Occupancy Rule

1. By consensus, the Board feels the current homeowner occupancy rule should remain the same.

E. Requests made by Joel

1. The phone problem at the front gate is the responsibility of the vendor, not the phone company. The name and phone number of the person to call is on the phone panel.
2. There is a tree by front gate that is tipped over and touching top of light---needs trimming.
3. Joel will improve the format, color and strength of the facility passes for 1992.

ANNUAL MEETING IS ON THURSDAY, JANUARY 16, 1992, AT 7:30 PM -- AT THE GOLETA COMMUNITY CENTER.

IX. MEETING ADJOURNED

1. 10:15 PM.

Display 1991-1992 Bill Text - INFORMATION  
BILL NUMBER: AB 871

BILL TEXT

ATT TO  
M. MILES  
COMPLIMENTS OF  
JACK O'CONNELL  
35th DISTRICT

	CHAPTER	355
FILED WITH SECRETARY OF STATE		AUGUST 30, 1991
APPROVED BY GOVERNOR		AUGUST 29, 1991
PASSED THE ASSEMBLY		AUGUST 19, 1991
PASSED THE SENATE		JULY 18, 1991
AMENDED IN SENATE		JULY 10, 1991
AMENDED IN SENATE		JUNE 26, 1991
AMENDED IN ASSEMBLY		MAY 22, 1991
AMENDED IN ASSEMBLY		MAY 9, 1991

INTRODUCED BY Assembly Member Hauser

FEBRUARY 28, 1991

An act to amend Sections 1365.5 and 1366 of the Civil Code, relating to common interest developments.

LEGISLATIVE COUNSEL'S DIGEST

AB 871, Hauser. Common interest developments: reserve funds.

Existing law requires the board of directors of the management association of a common interest development to review, among other things, the current reconciliations of the association's operating accounts and reserve accounts on at least a quarterly basis, and requires the signatures of at least 2 persons, as specified, to withdraw money from the association's reserve accounts. Existing law also limits the imposition of special assessments by the board, as specified.

This bill would prohibit the board of directors from expending reserve funds for any purposes other than the repair, restoration, replacement, or maintenance of, or litigation involving the repair, restoration, replacement, or maintenance of, major components which the association is obligated to repair, restore, replace, or maintain and for which the reserve fund was established. The bill would, however, permit the board of directors of the association to temporarily transfer reserve fund money to the association's general operating fund for the limited purpose of meeting short-term cash flow requirements or other expenses. The bill would require the transferred funds to be restored to the reserve fund within 3 years of the date of the initial transfer, except upon a documented finding by the board, as specified. The bill would also authorize the levy of a special assessment to fund the restoration of these funds.

This bill would also require the board, at least once every 3 years, to cause a study to be conducted of the reserve account requirements of the common interest development, as specified, if the current replacement value of these major components is equal to or greater than 1/2 of the gross budget of the association for any fiscal year. The bill would require the board to review this study annually.

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THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 1365.5 of the Civil Code is amended to read:

1365.5. (a) Unless the governing documents impose more stringent standards, the board of directors of the association shall do all of the following:

(1) Review a current reconciliation of the association's operating accounts on at least a quarterly basis.

(2) Review a current reconciliation of the association's reserve accounts on at least a quarterly basis.

(3) Review, on at least a quarterly basis, the current year's actual reserve revenues and expenses compared to the current year's budget.

(4) Review the latest account statements prepared by the financial institutions where the association has its operating and reserve accounts.

(5) Review an income and expense statement for the association's operating and reserve accounts on at least a quarterly basis.

(b) The signatures of at least two persons, who shall be members of the association's board of directors, or one officer who is not a member of the board of directors and a member of the board of directors, shall be required for the withdrawal of moneys from the association's reserve accounts.

(c) The board of directors shall not expend funds designated as reserve funds for any purpose other than the repair, restoration, replacement, or maintenance of, or litigation involving the repair, restoration, replacement, or maintenance of, major components which the association is obligated to repair, restore, replace, or maintain and for which the reserve fund was established. However, the board may authorize the temporary transfer of money from a reserve fund to the association's general operating fund to meet short-term cash-flow requirements or other expenses. The transferred funds shall be restored to the reserve fund within three years of the date of the initial transfer, except that the board may, upon making a finding supported by documentation that a delay would be in the best interests of the common interest development, delay the restoration until the time which the board reasonably determines to be necessary. The board shall exercise prudent fiscal management in delaying restoration of these funds and in restoring the expended funds to the reserve account, and shall, if necessary, levy a special assessment to recover the full amount of the expended funds within the time limits required by this section. This special assessment is not subject to the limitation imposed by Section 1366.

(d) At least once every three years the board of directors shall cause a study of the reserve account requirements of the common interest development to be conducted if the current replacement value of the major components which the association is obligated to repair, replace, restore, or maintain is equal

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to or greater than one-half of the gross budget of the association for any fiscal year. The board shall review this study annually and shall consider and implement necessary adjustments to the board's analysis of the reserve account requirements as a result of that review.

The study required by this subdivision shall at a minimum include:

(1) Identification of the major components which the association is obligated to repair, replace, restore, or maintain which, as of the date of the study, have a remaining useful life of less than 30 years.

(2) Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.

(3) An estimate of the cost of repair, replacement, restoration, or maintenance of each major component identified in paragraph (1) during and at the end of its useful life.

(4) An estimate of the total annual contribution necessary to defray the cost to repair, replace, restore, or maintain each major component during and at the end of its useful life, after subtracting total reserve funds as of the date of the study.

(e) As used in this section, "reserve accounts" means moneys that the association's board of directors has identified for use to defray the future repair or replacement of, or additions to, those major components which the association is obligated to maintain.

(f) As used in this section, "reserve account requirements" means the estimated funds which the association's board of directors has determined are required to be available at a specified point in time to repair, replace, or restore those major components which the association is obligated to maintain.

(g) This section does not apply to an association that does not have a "common area" as defined in Section 1351.

SEC. 2. Section 1366 of the Civil Code is amended to read:

1366. (a) Except as provided in this section, the association shall levy regular and special assessments sufficient to perform its obligations under the governing documents and this title. However, annual increases in regular assessments for any fiscal year, as authorized by subdivision (b), shall not be imposed unless the board has complied with subdivision (a) of Section 1365 with respect to that fiscal year, or has obtained the approval of owners, constituting a quorum, casting a majority of the votes at a meeting or election of the association conducted in accordance with Chapter 5 (commencing with Section 7510) of Part 3 of Division 2 of Title 1 of the Corporations Code and Section 7613 of the Corporations Code. For the purposes of this section, "quorum" means more than 50 percent of the owners of an association.

(b) Notwithstanding more restrictive limitations placed on the board by the governing documents, the board of directors may not impose a regular assessment that is more than 20 percent greater than the regular assessment for the association's preceding fiscal year, or impose special assessments which in the aggregate exceed 5 percent of the budgeted gross expenses of the association for that fiscal year without the approval of owners, constituting a quorum, casting a majority of the votes at a meeting or election of the association conducted in accordance with Chapter 5 (commencing with Section 7510) of Part 3 of Division 2 of Title 1 of the Corporations Code and Section 7613 of the Corporations Code. A special assessment imposed pursuant to

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subdivision (c) of Section 1365.5 is not subject to the 5 percent limitation imposed pursuant to this subdivision. For the purposes of this section, quorum means more than 50 percent of the owners of an association. This section does not limit assessment increases necessary for emergency situations. For purposes of this section, an emergency situation is any one of the following:

- (1) An extraordinary expense required by an order of a court.
- (2) An extraordinary expense necessary to repair or maintain the common interest development or any part of it for which the association is responsible where a threat to personal safety on the property is discovered.
- (3) An extraordinary expense necessary to repair or maintain the common interest development or any part of it for which the association is responsible that could not have been reasonably foreseen by the board in preparing and distributing the pro forma operating budget under Section 1365. However, prior to the imposition or collection of an assessment under this subdivision, the board shall pass a resolution containing written findings as to the necessity of the extraordinary expense involved and why the expense was not or could not have been reasonably foreseen in the budgeting process, and the resolution shall be distributed to the members with the notice of assessment.

(c) Regular and special assessments levied pursuant to the governing documents are delinquent 15 days after they become due. If an assessment is delinquent the association may recover all of the following:

- (1) Reasonable costs incurred in collecting the delinquent assessment, including reasonable attorney's fees.
- (2) A late charge not exceeding 10 percent of the delinquent assessment or ten dollars (\$10), whichever is greater, unless the declaration specifies a late charge in a smaller amount, in which case any late charge imposed shall not exceed the amount specified in the declaration.
- (3) Interest on all sums imposed in accordance with this section, including the delinquent assessment, reasonable costs of collection, and late charges, at an annual percentage rate not to exceed 12 percent interest, commencing 30 days after the assessment becomes due.
- (d) Associations are hereby exempted from interest rate limitations imposed by Article XV of the California Constitution, subject to the limitations of this section.

GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
December 18, 1991

I. DIRECTORS PRESENT

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; and Joel Werbelow, Secretary.
- B. Others in attendance:
  - 1. James Nguyen from Bartlein and Company.
  - 2. John Simpson, new homeowner.

II. CALL MEETING TO ORDER

- A. The meeting was called to order at 7:30 PM.

III. MINUTES OF PRIOR MEETING

- A. One correction was made on the prior minutes:
  - 1. Under New Business, point 2, regarding the new law, it should state that the survey to be done on the reserve funds also includes a survey of the buildings.

IV. COMMITTEE REPORTS

A. Treasurer's Report

- 1. Total Income - \$20,680.00
- Total Expenditures - \$19,823.59
- Current Balance - \$15,000.00

B. Landscaping

- 1. Merril did not attend meeting -- no report given.

C. Painting/Maintenance

- 1. The gutters and downspouts have been cleaned and cleared in Phase 3. Phases I and II still need to be done.
- 2. Tom will inspect the job before the contractors are paid. A trap is also being installed on each roof to catch debris.
- 3. Tom changed 32 lights -- the timer needs to be adjusted -- Tom will adjust it.
- 4. There were cans of cat food by Phase I for strays -- there will be a blurb in the Newsletter requesting people not to feed strays.

5. The sauna timer was replaced. The circuits need to be checked out as the breaker keeps blowing out. Chris and Dave Larson will be consulted for this.

## V. OLD BUSINESS

### A. 7640 Beam Repair:

1. The Association will repair and add that to damages fund received from Invest West.
2. John Altman may be invited to the special meeting (first week in January) -- to discuss nature of problem and possible charges. A civil engineer will be consulted to describe what task needs to be done.
3. Dave suggested that the Board get a letter from Les Grant stating that he won't provide blue prints. Louise will call him.

### B. Water Meter Identification

1. The water meters are currently being marked with brightly colored tags. They should be done by the end of 1991.

## VI. NEW BUSINESS

### A. Publicity for the Annual Meeting

1. James gave the Board a \$75.00 gift certificate for dinner for two at the Chart House to be used as a door prize at the Annual Meeting (was requested at the last meeting to help increase attendance).

### B. Collecting Proxies for Annual Meeting

1. The Board Members will start collecting proxies now.
2. Louise will collect from 7632 and 7630, Dave -- 7602, 7606 and 7610, Charlie -- 7626 and 7628, Bill -- 7638, 7640 and 7636; and Joel -- 7634, 7620 and 7624.

### C. Candidates for New Board

1. All of the current members will run again -- Joel would like to be on the Board in another position this time.

### D. Enforcing Parking Regulations

1. Board members do not want the awkward situations of telling friends that they are committing parking violations. The new procedure will go as follows:
  - a. A walk around will be done by members and a list of violations will be sent to James at Bartlein. James will give the list to Romer to chalk and sticker cars. Then Romer will call the tow company. When James is first provided the list, the license number, car type/description and location should be clearly indicated. The Newsletter will state that Romer will be enforcing all parking violations in the future.

E. Front Gate Telephone

1. The Telephone Company line is okay.
2. The new keypad is not compatible with the phone system, so the whole unit has to be shipped back to the manufacturer. The Board agreed by consensus to send the unit back for repair.

F. Merit Cleaning Service

1. Effective January 1992, the fees will be raised to \$115.00 a month.

G. Letters

1. Joel received a letter from unit 128 in building 7636, asking permission to enclose the patio.

The Board approved as long as the enclosure is not higher than four feet. The gate requested will not be allowed. Charle will view and then call James on this.

2. The Association is not responsible for the tub and bathroom sink that backed up. The clog was so many feet from the drain, rendering it the tenant's responsibility. The tenant is aware that she has to pay. If plumbing is unique to the unit, it is then the tenant's responsibility.

H. Owner Occupancy Restriction

1. Louise stated that all of the statistics on sales and the Groves indicate that sales could be improved in 1992, if the owner occupancy rule was rescinded temporarily.

ANNUAL MEETING IS ON THURSDAY, JANUARY 16, 1992, AT 7:30 PM -- AT THE GOLETA COMMUNITY CENTER.

VII. MEETING ADJOURNED

1. 9:30 PM.



GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
November 21, 1991

**I. DIRECTORS PRESENT**

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; Merrill Robinson, Landscaping; and Joel Werbelow, Secretary.
- B. Others in attendance:
  - 1. James Nguyen from Bartlein and Company.
  - 2. Roger Knox, homeowner. Greg Honnold, homeowner.
  - 3. Chris, Speedi Rooter Representative.

**II. CALL MEETING TO ORDER**

- A. The meeting was called to order at 7:30 PM.

**III. MINUTES OF PRIOR MEETING**

- A. Minutes of prior meeting were approved.
  - 1. One correction was made on the prior minutes:
    - a) Under Old Business, it stated that Invest West should be billed separately, but it should state the ISSUE is separate, but the Association still expects it to be fixed.

**IV. NON AGENDA ITEMS**

- A. Roger Knox requested a repeal of the homeowners occupancy restriction that could be voted on at the January 16 Annual Meeting.

If this could be repealed, there would be a stipulation that if resales improve (over next 1 to 2 years), the restriction could be restored. Roger asked the Board if this could also be put into the Newsletter. Roger passed out some statistics of the competitive marketability in Goleta.
- B. Greg Honnold from Farmers Insurance
  - 1. Charlie stated that Bob Bartlein selects the homeowners insurance, and they are currently pleased with their policy with Prudential.
  - 2. Mr. Honnold said he would do some research on replacement value for commercial insurance and get back to the Board in case he finds a less expensive way to insure the Groves.

C. Chris from Speedi Rooter

1. The clogged sewer lines have different liabilities and causes of problems.
  - a. The manhole by 7624 (southwest side) has a line that goes all the way through the Groves to Hollister. GWD maintains that line.
  - b. The manholes by 7632 are the Groves' private large lines. These currently are not on maintenance. All the other lines are also the Groves' responsibility. In the future, if there are problems with these, the Association is responsible for their repair.
  - c. The area where sewers drop debris into the bottom of the manholes is the responsibility of GWD. The roots by 7602 blocking the drop line will be fixed and maintained by GWD.

The lines were not collapsed and do not need replacing. These will be maintained yearly by Speedi Rooter. There were root clogs by 7632 and 7636.

VI. COMMITTEE REPORTS

A. Treasurer's Report

1. Total Income - \$20,141.50  
Total Expenditures - \$14,465.66  
Current Balance - \$15,000.00
2. Budget timeline was met successfully.
3. Unit 101 is in arrears of \$2,200, down from \$4,000.

**MOTION** by Dave to allow the tenant 6 months to pay her delinquent payments, as long as the current payments are being made monthly.

**SECONDED** by Joel, with the stipulation of requesting verification letter of job layoff.

**MOTION PASSED.**

B. Landscaping

1. Merril wants to change water allocations (take some from Phase 2 to give to another area, etc.)
2. Wants to know from Arturo how much water will be needed to water the newly planted dust bowl. She will coordinate with Arturo before giving GWD approval to change allocations. When it is decided, they will introduce the plan to the Board.
3. Dave requested that the leak in the drip hose be repaired by 7602.

C. Painting/Maintenance

1. The one broken pagoda light has been repaired.
2. Joel said that the light by 7634 needs to be fixed.

D. Pool

1. The replastering of the pool will cost \$3,400 (excludes replacing tiles) and \$900 more to replace the cracked skimmer. Valley Pool will do the work, if the Board authorizes James to procede.

**MOTION** made by Louise to go ahead with the pool repair.

**SECOND** by Bill.

**MOTION PASSED.** (Subject to the County's approval.)

**VII.OLD BUSINESS**

A. Letter sent to Invest West regarding broken beam

1. No response yet to letter sent by Bartlein--James will follow up.

B. The Water Heater Leak

1. Bob Bartlein stated that the way it is done is to split the deductible of \$1,000 into 3 ways.
2. The Association will hire someone to mark the meters clearly, so people can identify them quickly when trying to turn the water off in emergencies.
3. If response isn't received from Invest West ASAP, regarding paying for the drain repair, the Association will pay for it and then bill Invest West. Oasis did verify that the plumbing was not done to code -- improperly plumbed.

C. Soil Compaction Letter

1. James has heard nothing in response from Invest West.

**MOTION** made by Joel to have Board members meet with Charles Oxton.  
(To be divided into two sessions-- 1) Board directs questions  
2) Anyone can ask questions  
To be held in early December at 4:00 or 5:00 PM.

**SECOND** by Louise.

**MOTION PASSED.**

**MOTION** made by Bill to have Charles Oxton at the Annual Meeting to talk with homeowners.

**SECOND** by Joel.

**MOTION PASSED.**

**IIX.NEW BUSINESS**

A. Encouraging larger attendance at Annual Meeting

**MOTION** made by Joel to allocate \$75.00 gift certificate for dinner for two at the Chart House -- to be given as a door prize at the Annual Meeting.

**SECOND** by Louise.

**MOTION PASSED.**

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(4) Review the latest account statements prepared by the financial institutions where the association has its operating and reserve accounts.

(5) Review an income and expense statement for the association's operating and reserve accounts on at least a quarterly basis.

(b) The signatures of at least two persons, who shall be members of the association's board of directors, or one officer who is not a member of the board of directors and a member of the board of directors, shall be required for the withdrawal of moneys from the association's reserve accounts.

(c) The board of directors shall not expend funds designated as reserve funds for any purpose other than the repair, restoration, replacement, or maintenance of, or litigation involving the repair, restoration, replacement, or maintenance of, major components which the association is obligated to repair, restore, replace, or maintain and for which the reserve fund was established. However, the board may authorize the temporary transfer of money from a reserve fund to the association's general operating fund to meet short-term cash-flow requirements or other expenses. The transferred funds shall be restored to the reserve fund within three years of the date of the initial transfer, except that the board may, upon making a finding supported by documentation that a delay would be in the best interests of the common interest development, delay the restoration until the time which the board reasonably determines to be necessary. The board shall exercise prudent fiscal management in delaying restoration of these funds and in restoring the expended funds to the reserve account, and shall, if necessary, levy a special assessment to recover the full amount of the expended funds within the time limits required by this section. This special assessment is not subject to the limitation imposed by Section 1366.

(d) At least once every three years the board of directors shall cause a study of the reserve account requirements of the common interest development to be conducted if the current replacement value of the major components which the association is obligated to repair, replace, restore, or maintain is equal

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The study required by this subdivision shall at a minimum include:

(1) Identification of the major components which the association is obligated to repair, replace, restore, or maintain which, as of the date of the study, have a remaining useful life of less than 30 years.

(2) Identification of the probable remaining useful life of the components identified in paragraph (1) as of the date of the study.

(3) An estimate of the cost of repair, replacement, restoration, or maintenance of each major component identified in paragraph (1) during and at the end of its useful life.

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(f) As used in this section, "reserve account requirements" means the estimated funds which the association's board of directors has determined are required to be available at a specified point in time to repair, replace, or restore those major components which the association is obligated to maintain.

(g) This section does not apply to an association that does not have a "common area" as defined in Section 1351.

SEC. 2. Section 1366 of the Civil Code is amended to read:

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subdivision (c) of Section 1365.5 is not subject to the 5 percent limitation imposed pursuant to this subdivision. For the purposes of this section, quorum means more than 50 percent of the owners of an association. This section does not limit assessment increases necessary for emergency situations. For purposes of this section, an emergency situation is any one of the following:

- (1) An extraordinary expense required by an order of a court.
- (2) An extraordinary expense necessary to repair or maintain the common interest development or any part of it for which the association is responsible where a threat to personal safety on the property is discovered.
- (3) An extraordinary expense necessary to repair or maintain the common interest development or any part of it for which the association is responsible that could not have been reasonably foreseen by the board in preparing and distributing the pro forma operating budget under Section 1365. However, prior to the imposition or collection of an assessment under this subdivision, the board shall pass a resolution containing written findings as to the necessity of the extraordinary expense involved and why the expense was not or could not have been reasonably foreseen in the budgeting process, and the resolution shall be distributed to the members with the notice of assessment.

(c) Regular and special assessments levied pursuant to the governing documents are delinquent 15 days after they become due. If an assessment is delinquent the association may recover all of the following:

- (1) Reasonable costs incurred in collecting the delinquent assessment, including reasonable attorney's fees.
- (2) A late charge not exceeding 10 percent of the delinquent assessment or ten dollars (\$10), whichever is greater, unless the declaration specifies a late charge in a smaller amount, in which case any late charge imposed shall not exceed the amount specified in the declaration.
- (3) Interest on all sums imposed in accordance with this section, including the delinquent assessment, reasonable costs of collection, and late charges, at an annual percentage rate not to exceed 12 percent interest, commencing 30 days after the assessment becomes due.
- (d) Associations are hereby exempted from interest rate limitations imposed by Article XV of the California Constitution, subject to the limitations of this section.

GROVES HOMEOWNERS ASSOCIATION  
BOARD OF DIRECTORS MEETING  
December 18, 1991

I. DIRECTORS PRESENT

- A. Charlie Gorman, President; Dave Ringheiser, Vice President; Bill Bold, Treasurer; Tom Buffo, Maintenance; and Joel Werbelow, Secretary.
- B. Others in attendance:
  - 1. James Nguyen from Bartlein and Company.
  - 2. John Simpson, new homeowner.

II. CALL MEETING TO ORDER

- A. The meeting was called to order at 7:30 PM.

III. MINUTES OF PRIOR MEETING

- A. One correction was made on the prior minutes:
  - 1. Under New Business, point 2, regarding the new law, it should state that the survey to be done on the reserve funds also includes a survey of the buildings.

IV. COMMITTEE REPORTS

A. Treasurer's Report

- 1. Total Income - \$20,680.00
- Total Expenditures - \$19,823.59
- Current Balance - \$15,000.00

B. Landscaping

- 1. Merril did not attend meeting -- no report given.

C. Painting/Maintenance

- 1. The gutters and downspouts have been cleaned and cleared in Phase 3. Phases I and II still need to be done.
- 2. Tom will inspect the job before the contractors are paid. A trap is also being installed on each roof to catch debris.
- 3. Tom changed 32 lights -- the timer needs to be adjusted -- Tom will adjust it.
- 4. There were cans of cat food by Phase I for strays -- there will be a blurb in the Newsletter requesting people not to feed strays.

5. The sauna timer was replaced. The circuits need to be checked out as the breaker keeps blowing out. Chris and Dave Larson will be consulted for this.

## V. OLD BUSINESS

### A. 7640 Beam Repair:

1. The Association will repair and add that to damages fund received from Invest West.
2. John Altman may be invited to the special meeting (first week in January) -- to discuss nature of problem and possible charges. A civil engineer will be consulted to describe what task needs to be done.
3. Dave suggested that the Board get a letter from Les Grant stating that he won't provide blue prints. Louise will call him.

### B. Water Meter Identification

1. The water meters are currently being marked with brightly colored tags. They should be done by the end of 1991.

## VI. NEW BUSINESS

### A. Publicity for the Annual Meeting

1. James gave the Board a \$75.00 gift certificate for dinner for two at the Chart House to be used as a door prize at the Annual Meeting (was requested at the last meeting to help increase attendance).

### B. Collecting Proxies for Annual Meeting

1. The Board Members will start collecting proxies now.
2. Louise will collect from 7632 and 7630, Dave -- 7602, 7606 and 7610, Charlie -- 7626 and 7628, Bill -- 7638, 7640 and 7636; and Joel -- 7634, 7620 and 7624.

### C. Candidates for New Board

1. All of the current members will run again -- Joel would like to be on the Board in another position this time.

### D. Enforcing Parking Regulations

1. Board members do not want the awkward situations of telling friends that they are committing parking violations. The new procedure will go as follows:
  - a. A walk around will be done by members and a list of violations will be sent to James at Bartlein. James will give the list to Romer to chalk and sticker cars. Then Romer will call the tow company. When James is first provided the list, the license number, car type/description and location should be clearly indicated. The Newsletter will state that Romer will be enforcing all parking violations in the future.

E. Front Gate Telephone

1. The Telephone Company line is okay.
2. The new keypad is not compatible with the phone system, so the whole unit has to be shipped back to the manufacturer. The Board agreed by consensus to send the unit back for repair.

F. Merit Cleaning Service

1. Effective January 1992, the fees will be raised to \$115.00 a month.

G. Letters

1. Joel received a letter from unit 128 in building 7636, asking permission to enclose the patio.

The Board approved as long as the enclosure is not higher than four feet. The gate requested will not be allowed. Charle will view and then call James on this.

2. The Association is not responsible for the tub and bathroom sink that backed up. The clog was so many feet from the drain, rendering it the tenant's responsibility. The tenant is aware that she has to pay. If plumbing is unique to the unit, it is then the tenant's responsibility.

H. Owner Occupancy Restriction

1. Louise stated that all of the statistics on sales and the Groves indicate that sales could be improved in 1992, if the owner occupancy rule was rescinded temporarily.

ANNUAL MEETING IS ON THURSDAY, JANUARY 16, 1992, AT 7:30 PM -- AT THE GOLETA COMMUNITY CENTER.

VII. MEETING ADJOURNED

1. 9:30 PM.